IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 23RD MARCH 2007 / 2ND CHAITHRA 1929

WP(C).No. 2992 of 2007(F)

OP(MV).1982/1992 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PALAKKAD

PETITIONER:

M.D.GEORGE, S/O.DAVID,
MADAPPALLIYIL HOUSE, OORAKADE,
KIZHAKKAMBALAM.

BY ADV. SRI.BABYKURIAKOSE
SRI.P.VIJAYAKUMAR
SRI.ASHIM.M.V.
SRI.S.VAIDYANATHAN

RESPONDENTS:

1. **DISTRICT COLLECTOR,**
   PALAKKAD.

2. **TAHSILDAR, KUNNATHUNADU,**
   PERUMBAVOOR.

3. **DEPUTY TAHSILDAR (REVENUE RECOVERY),**
   TALUK OFFICE, KUNNATHUNADU, PERUMBAVOOR.

4. **MOTOR ACCIDENT CLAIMS TRIBUNAL,**
   PALAKKAD.

5. **MADHU, S/O.LAKSHMANAN,**
   LAKSHAM VEEDU, AADIVASI COLONY,
   NADUPPATHI P.O., WALAYAR DAM, PALAKKAD.

6. **LAKSHMANAN, LAKSHAM VEEDU,**
   AADIVASI COLONY, NADUPPATHI,
   P.O.WALAYAR DAM, PALAKKAD.

7. **VELLACHI, W/O.LAKSHMANAN,**
   LAKSHAM VEEDU, AADIVASSI COLONY,
   NADUPPATHI, P.O.WALAYAR DAM, PALAKKAD.

8. AYYAPPAN, S/O.PAPPANAL,
HOUSE NO.589/12, LAKSHAM VEEDU, AADIVASI COLONY, NADUPPATHI P.O., WALAYAR DAM, PALAKKAD.

9. MAYILSWAMY, S/O.KARUPPAN,
HOUSE NO.600/12, LAKSHAM VEEDU, AADIVASI COLONY, NADUPPATHI, P.O.WALAYAR DAM, PALAKKAD.

10. KARUPPAN, S/O.PERIYAKARUPPAN,
LAKSHAM VEEDU, AADIVASI COLONY, NADUPPATHI, P.O.WALAYAR DAM, PALAKKAD.

11. PAPPAL, W/O.KARUPPAN,
LAKSHAM VEEDU, AADIVASI COLONY, NADUPPATHI, P.O.WALAYAR DAM, PALAKKAD.

12. SELVAN, LAKSHAM VEEDU, AADIVASI COLONY, NADUPPATHI, P.O.WALAYAR DAM, PALAKKAD.

13. RAJAKUMARAN, S/O.KARUPPI,HOUSE NO.584/12 LAKSHAM VEEDU, AADIVASI COLONY, NADUPPATHI, P.O.WALAYAR DAM, PALAKKAD.

14. ORIENTAL INSURANCE CO.LTD., DIVISIONAL OFFICER, ALUVA BRANCH, P.B.NO.49, RAILWAY STATION ROAD, ALUVA, ERNAKULAM.

BY ADV. SRI.A.R.GANGADAS
SRI.MATHEWS JACOB (SR.)
SRI.P.JACOB MATHEW

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.2992/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE DEMAND NOTICE NO.D6-11868/06 DT.4.12.06 ISSUED BY 3RD RESPONDENT UNDER SECTION 7 OF RR ACT.

EXT.P(B) :- COPY OF THE ANOTHER DEMAND NOTICE NO.SD6-11869/06 DT.4.12.06 ISSUED BY 3RD RESPONDENT UNDER SECTION 7 OF RR ACT.

EXT.P2:- COPY OF THE ATTACHED NOTICE NO.D6-11868/06 ISSUED UNDER 3RD RESPONDENT UNDER SECTION 34 OF RR ACT.

EXT.P3:- COPY OF THE COMMON AWARD DT.27.1`.97 IN VARIOUS CLAIMS, VIZ, OP. (MV) NOS. 1982/92, 1983/92, 1984/92, 2030/92, 2031/92, 2032/92, 2033/92 BEFORE MACT, PALAKKAD.

/TRUE COPY/

tss

K.BALAKRISHNAN NAIR, J.

W.P.(C) NO. 2992 OF 2007-F

JUDGMENT

In view of the order passed by this Court on 15.2.2007, no further orders are required in this writ petition. Since the petitioner has statutory remedies against Ext.P3 award, it is not proper for this Court to hear the case on merits under Article 226 of the Constitution of India. The case has been admitted only for the purpose of giving a breathing time to the petitioner. Now the time is over. Accordingly, the writ petition is closed without prejudice to the contentions of the petitioner and his right to move the M.A.C.T., or this Court in appeal, for appropriate reliefs.

23rd March, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/